

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TORION SELLERS and RENEE
BELL, and KEITH RUSSELL,
*Individually, and on Behalf of All
Others Similarly Situated,*

CIVIL ACTION
NO.: 1:17-cv-03614-ELR

Plaintiffs,

v.

SAGE SOFTWARE, INC., d/b/a SAGE
NORTH AMERICA and PAYA, INC.
f/k/a SAGE PAYMENT SOLUTIONS,
INC.,

Defendants.

**ORDER APPROVING SETTLEMENT AGREEMENT AND DISMISSING
CASE WITH PREJUDICE**

This case is before the Court for consideration of the Joint Motion for Approval of Collective Action Settlement Agreement and Dismissal of Case with Prejudice. The Named Plaintiffs Torion Sellers, Renee Bell, and Keith Russell and Opt-In Plaintiffs¹ (collectively referred to as “Plaintiffs”) and Defendants Sage

¹ Jennifer Shaffer, Todd Farrow, and Kevin Rushing are also included in the Parties’ Agreement.

Software, Inc. (“SSI”) and Paya, Inc. f/k/a Sage Payment Solutions, Inc. (“Paya”) (together, “Defendants”) (collectively, the “Parties”) request approval of the FLSA Settlement Agreement and Release (“Settlement Agreement”) reached between the Parties. After reviewing the record and the joint submissions of the Parties and the Settlement Agreement executed by the Parties, the Court finds that and concludes that the proposed settlement in this case meets the standard for approval as it reflects a reasonable compromise of a bona fide dispute. The Court finds and concludes that the proposed settlement is fair, adequate, and reasonable, is in the best interest of the Parties, and was reached in good faith, and is hereby approved.

IT IS HEREBY ORDERED AND ADJUDGED:

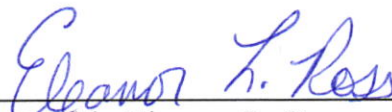
1. The parties’ Joint Motion for Approval of Collective Action Settlement Agreement and Dismissal of Case with Prejudice is GRANTED;
2. The Parties’ Settlement Agreement as expressed therein is APPROVED, and the terms of the Parties’ Settlement Agreement are incorporated into this Order. The Court further directs consummation of the Settlement Agreement’s terms and provisions;
3. The Court hereby appoints Torion Sellers, Renee Bell, and Keith Russell as the Representative Plaintiffs who, together with counsel for

Plaintiffs, shall be authorized to act on behalf of all Plaintiffs with respect to this litigation and the Settlement Agreement;

4. Plaintiffs' Counsel's request for Attorneys' Fees and Litigation Costs as outlined in the Settlement Agreement is APPROVED;
5. The Parties' request for Service Awards to Torion Sellers, Renee Bell, and Keith Russell as outlined in the Agreement is APPROVED;
6. The Court dismisses the time-barred opt-in plaintiff, Kevin McCants without prejudice;
7. The Court finds that the settlement followed extensive, hard fought litigation regarding bona fide disputes related to compensation allegedly owed under the FLSA, and was the result of a formal mediation involving vigorous arms' length settlement negotiations and the assistance of an experienced mediator. During the entire process, Plaintiffs and Defendants were represented by counsel experienced in wage and hour law. Accordingly, the Settlement Agreement resolves a clear and actual bona fide dispute under circumstances support a finding that it is fair and reasonable;
8. The Court enters judgment and dismisses this civil action on the merits and with prejudice; and

9. This Court shall retain jurisdiction over this action and the Parties to ensure compliance of the settlement terms and to enforce the terms and conditions of this settlement, until all obligations pursuant to the Agreement are satisfied.

SO ORDERED this the 17th day of January, 2019.



Honorable Eleanor L. Ross
Judge, United States District Court